

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARTIN KERBER,

*Plaintiff,*

vs.

DOUG GILLESPIE, *et al.*,

*Defendants.*

2:11-cv-01952-GMN-VCF

ORDER

The Court dismissed the complaint without prejudice for failure to state a claim upon which relief may be granted, subject to leave to amend. Plaintiff was informed that a failure to timely mail an amended complaint to the Clerk for filing that corrected the deficiencies noted in the order would lead to entry of a final judgment of dismissal. Plaintiff has not filed an amended complaint within the time allowed, including as extended.

IT THEREFORE IS ORDERED that this action shall be DISMISSED without prejudice.

The Clerk of Court shall enter final judgment accordingly, dismissing this action without prejudice.

DATED this 19th day of February, 2013.

  
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Gloria M. Navarro  
United States District Judge